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2 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

3 In the Application of

4 Galla Chandra Rao and Herman Rutner,

5 Serial No.

6 Filed: November 12, 2003,

7 For: LABELED CELL SETS FOR USE
8 AS FUNCTIONAL CONTROLS IN
RARE CELL DETECTION ASSAYS

Group Art Unit:

Examiner: ,

Information Disclosure
Statement

9
10 **Information Disclosure Statement**

11 Commissioner for Patents

12 Alexandria, VA 22313

13 Sir:

14 Attached is a complete Form PTO/SB/08 (A&B). Pursuant to
15 Rule 98(d), the references listed on attached forms PTO/SB/08
16 (A&B) are not enclosed since these were supplied in the parent
17 case (ser. No. 09/801,471).

18 Respectfully submitted,

19 By

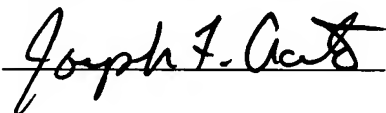

20 Joseph F. Aceto, Ph.D., J.D.

21 PTO Registration No. 50,701

Telephone No. 215-830-0777, x 237

22 **Certificate of Mailing**

23 I certify that this correspondence will accompany the initial
24 filing of the above application (EU 448085292 US). Mailed on
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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Rao, G.C. et al.
Art Unit	
Examiner Name	
Attorney Docket Number	IMMC 234.1 (CIP)

Sheet 1 of 2

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 5610022	03-11-1997	City of Hope	
	2	US- 5981282	11-09-1999	Streck Laboratories	
	3	US- 5432089	07-11-1995	Streck Laboratories	
	4	US- 5187099	02-16-1993	Coulter Corporation	
	5	US- 5342754	08-30-1994	Coulter Corporation	
	6	US- 5763204	06-09-1998	Coulter Corporation	
	7	US- 5059518	10-22-1991	Coulter Corporation	
	8	US- 5968831	10-19-1999	Coulter Corporation	
	9	US- 5529933	06-25-1996	Coulter Corporation	
	10	US- 5888823	03-30-1999	Toa Medical Electron	
	11	US- 5698271	12-16-1997	Immunivest	
	12	US- 5597531	01-28-1997	Immunivest	
	13	US- 4795698	01-03-1989	Immunivest	
	14	US- 5985153	11-16-1999	Immunivest	
	15	US- 6551843	04-22-2003	Immunivest	
	16	US- 6623982	01-11-2001	Immunivest	
	17	US- 6365362	04-02-2002	Immunivest	
	18	US- 09/801471	08-30-2001	Immunivest	
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	B1	EP-91306643.7	12-06-1995	Becton Dickinson		
	B2	JP-63086915	10-16-1989	TOA Medical Ele		
	B3	WO 98/43067	10-01-1998	Immunivest		
	B4	WO 02/077604	10-03-2002	Immunivest		

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		Applicati n Number	
		Filing Dat	
		First Named Inventor	Rao, G.C. et al.
		Art Unit	
		Examiner Name	
Sheet	2	of	2
		Attorney Docket Number	IMMC 234.1 (CIP)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	L. GOMELLA, G. RAJ & J. MORENO, "Reverse Transcriptase Polymerase....," The Journal of Urology, 158:326-337 (1997), American Urological Assoc., U.S.A.	
	C2	C. STEWART & J. STEINKAMP, "Quantitation of Cell Concentration....," Cytometry, 2(4):238-243 (1982), Wiley-Liss, Inc., New York, NY, U.S.A.	
	C3	M. KEENEY, J.W. GRATAMA, I.H. CHIN-YEE & D.R. SUTHERLAND, "Isotope Controls in the Analysis...", Cytometry 34:280-283 (1998), Wiley-Liss, Inc., New York, NY, U.S.A.	
	C4	G. STELZER, G. MARTI, A. HURLEY, P.MCCOY, E.J. LOVETT & A. SCHWARTZ, "U.S.-Canadian Consensus...", Cytometry, 30:214-230 (1997), Wiley-Liss, Inc., New York, NY, U.S.A.	
	C5	A. SCHWARTZ, G.E. MARTI, R. POON, J.W. GRATAMA & E. FERNANDEZ-REPOLLET, "Standardizing Flow Cytometry...", Cytometry, 33:106-114 (1998), Wiley-Liss, Inc., New York, NY, U.S.A.	
	C6	M.W. LOWDELL & J. LAWRY, "Quality Control in Clinical...", Flow Cytometry, ed. M.G. Macey, Blackwell Scientific Publications, Oxford, U.K. (1994), pp. 45-66.	
	C7	H.M. SHAPIRO, Practical Flow Cytometry, Wiley-Liss., New York, NY, U.S.A. (1995), pp. 302-307.	
	C8	F. HAMER, "The Cyanine Dyes...", The Chemistry of Heterocyclic Compounds, Interscience Publishers, New York, NY, U.S.A. (1964), pp. 86-115.	
	C9	L. TERSTAPPEN, "Detection of Infrequent...", Hematopoietic Stem Cell Transplantation, ed. Ho, Haaas and Champlin, Marcel Dekker, Inc., New York, NY, U.S.A. (2000), pp. 137-152	

Examiner Signature		Date Considered	
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